IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

WP(C).No. 23840 of 2006(K)

PETITIONERS:

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1. DR.E.N.SIVADASAN, S/O.A.K.NARAYANAN NAIR
   AGED 44 YEARS, SENIOR LECTURER,
   DEPARTMENT OF POLITICS, S.N.COLLEGE, CHERTHALA,
   RESIDING AT INDIRA BHAVAN, KARIKADU.P.O.,
   PERUVA, KOTTAYAM.

2. V.N.RAMANI, W/O.P.N.THANKACHAN,
   AGED 47 YEARS, SENIOR LECTURER,
   DEPARTMENT OF HINDI, S.N.COLLEGE,
   CHERTHALA, RESIDING AT MAYOOKHAM,
   THIRUVATHUKKAL, KOTTAYAM.

BY ADV. SRI.SAJITH KUMAR V.

RESPONDENTS:

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1. STATE OF KERALA,
   REP. BY THE SECRETARY TO THE GOVERNMENT,
   DEPARTMENT OF COLLEGIATE EDUCATION,
   GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

2. THE DIRECTOR,
   DIRECTORATE OF COLLEGIATE EDUCATION,
   THIRUVANANTHAPURAM.

3. THE DEPUTY DIRECTOR OF COLLEGIATE
   EDUCATION,
   ERNAKULAM.

4. KERALA UNIVERSITY,
REP. BY ITS REGISTRAR,
THIRUVANANTHAPURAM.

5. THE MANAGER,
SREE NARAYANA COLLEGES,
KOLLAM, P.B.63, KOLLAM.

R4 BY ADV. SRI.S.GOPAKUMARAN NAIR, SC KERALA UTY.
R5 SRI.A.N.RAJAN BABU, SC, S.N.TRUST
SRI.M.RAJAGOPALAN NAIR, SC, KERALA UTY.
R1 TO R3 BY GOVERNMENT PLEADER SRI. T.T. MUHAMMED.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 23840/2006.

APPENDIX

PETITIONERS' EXTS:

EXT. P1 : A TRUE COPY OF THE PROCEEDING NO.2/SHER/3184 DATED 4.11.2004 OF THE 5TH RESPONDENT TO THE 4TH RESPONDENT.

EXT. P2 : A TRUE COPY OF THE ORDER NO.AC.F.III/33367/04 DATED 22/5/2005 ISSUED BY THE FOURTH RESPONDENT.

EXT. P3 : A TRUE COPY OF THE ORDER NO.AC.FIII/006619/2005 DATED 8.8.2005 ISSUED BY THE 4TH RESPONDENT.

K.M.JOSEPH, J.

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WP.(C) No.23840 OF 2006

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Dated this the 8th day of January, 2007

JUDGMENT

Case of the petitioners in brief is as follows:

First petitioner entered into service on 5.10.1994. The second petitioner entered into service on 1.11.1994. First petitioner became qualified for Selection Grade on 5.10.2003 and the second petitioner became qualified on 1.11.2003. Selection grade was sanctioned by the University in respect of the first petitioner on 22.5.2005 vide Ext.P2 and in respect of the second petitioner on 8.8.2005 vide Ext.P3. But it is pointed out that when the salary bill was forwarded to the Deputy Director for obtaining consequential benefits the third respondent has not granted the benefits.

2. Heard learned Government Pleader also. The writ petition is disposed of as follows:

The third respondent will forward his objections to the fourth respondent in regard to Exts. P2 and P3 within a period of one month from the date of receipt of a copy of this judgment. The University will meticulously consider each and every objection of the third respondent

and pass a reasoned order, which shall be communicated to the petitioners and the third respondent. If the decision taken by the fourth respondent is to reiterate Exts.P2 and P3, the decision reported in **Cherian Mathew v. Principal, S.B.College, Changanassery** (1998(2) K.L.T. 144) will apply and the monetary benefits due to the petitioners will be disbursed to the petitioners without any further delay.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.